

August 30, 2004

Date

TOXXICAN	ĬTT∧! ⊑4		Application No.	09/668,585					
TRANSMITTAL FORM			Filing Date	September 22, 2000					
(to be used for all corre	espondence aft	er initial filing)	First Named Inventor	Carl M. Ellison					
			Art Unit	2132					
			Examiner Name	GURSHMAN, Grigory					
Total Number of Pages	in This Submiss	ion 24	Attorney Docket Number	42390P8098X					
ENCLOSURES (check all that apply)									
Fee Transmittal Form	1	Drawing(s)		After Allowance Communication to Group					
Fee Attached Licensing			elated Papers	Appeal Communication to Board of Appeals and Interferences					
Amendment / Respor	nse	Petition		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)					
After Final Affidavits/decla	aration(s)	Petition to 0 Provisional	Convert a Application	Proprietary Information					
Extension of Time Re		Power of A Change of	ttorney, Revocation Correspondence Address	Status Letter Other Enclosure(s) (please identify below):					
Express Abandonme	nt Request	Terminal D	isclaimer						
Information Disclosur	e Statement	Request for	Refund	Return Postcard					
PTO/SB/08		CD, Numbe	er of CD(s)						
Certified Copy of Prio	rity								
Response to Missing Incomplete Application	Parts/ n	Paradia							
Basic Filin	g Fee	Remarks							
Declaration	n/POA								
Response to M Parts under 37 1.52 or 1.53	lissing CFR								
	SIGNATUR	E OF APPLICA	NT, ATTORNEY, OR AC	GENT					
Firm G	Gregory D. Cardwell, Reg. 140. 39,920								
Individual name BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP									
Signature	4	1111	/						
Date August 30, 2004 .									
	CERTIF	ICATE OF MAIL	ING/TRANSMISSION						
I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.									
Typed or printed name Gayle M. Bekish									

Signature



FEE TRANSMITTAL for FY 2004 Effective 01/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27.

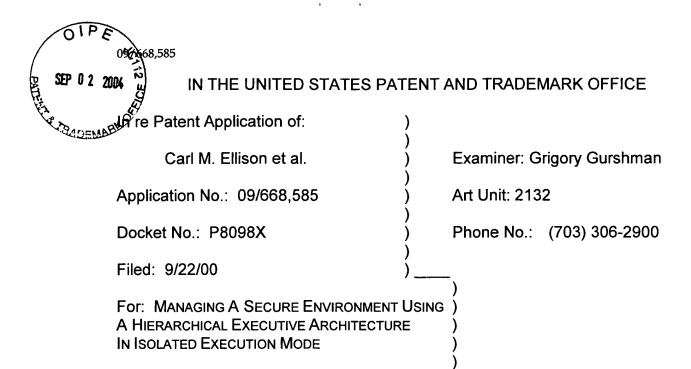
TOTAL AMOUNT OF PAYMENT (\$) 180.00

Complete if Known				
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Attorney Docket No.	42390P8098X			

METHOD OF PAYMENT (check all that apply)					FEE CALCULATION(continued)							
☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None					3. ADDITIONAL FEES							
☐ Check ☐ Credit card ☐ Order ☐ Other ☐ None ☐ None ☐ Order					Large Entity Small		II Entity	y				
Deposit Account					Fee	Fee	Fee	Fee	_			
Depo:				02-2666			Code	(\$)	Code	(\$)	Fee Description	Fee Paid
Numb				02-2000			1051	130	2051	65	Surcharge - late filing fee or oath	
Depo				·			1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
Account Name Blakely, Sokoloff, Taylor & Zafman LLP						2053	130	2053	130	Non-English specification	 	
The Commissioner is authorized to:(check all that apply)						1812	2,520	1812	2,520	For filing a request forex parte reexamination		
Charge fee(s) indicated below Credit any overpayments						1804	920*	1804	920	* Requesting publication of SIR prior to Examiner action		
ı —	ge any ac	lditional fe	e(s) or	underpayment of	fees as require	ed under 37				4 0 40 3		
		1.17, 1.18			na foo		1805	1,840*	1805	1,840	Requesting publication of SIR after Examiner action	
Charge fee(s) indicated below.except for the filing fee to the above-identified deposit account						1251	110	2251	55	Extension for reply within first month		
		FE	E C/	LCULATIO	N		1252	420	2252	210	Extension for reply within second month	-
1. E	BASIC	FILIN	G FE	E		***	1253	950	2253	475	Extension for reply within third month	
Large Er	4	Small E		_			1254	1,480	2254	740	Extension for reply within fourth month	
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description		Fee Paid	1255	2,010	2255	1,005	Extension for reply within fifth month	
							1404	330	2401	165	Notice of Appeal	
1001	770	2001	385	Utility filing fee			1402	330	2402	165	Filing a brief in support of an appeal	
1002 1003	340 530	2002	170 265	Design filing fe Plant filing fee	e	-	1403	290	2403	145	Request for oral hearing	
1003	770	2003	385	Reissue filing f	ee		1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1005	160	2005	80	Provisional filir			1452	110	2452	55	Petition to revive - unavoidable	
				1453	1,330	2453	665	Petition to revive - unintentional				
SUBTOTAL (1) (\$)				1501	1,330	2501	665	Utility issue fee (or reissue)				
2. EXTRA CLAIM FEES Extra Fee from				1502	480	2502	240	Design issue fee				
	_			Claims	below	Fee Paid	1503	640	2503	320	Plant issue fee	
Total Clain			20**	= X	=	·	1460	130	2460	130	Petitions to the Commissioner	
Independe Claims	nt [3	= X]=	•	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
Multiple De	ependent				=		1806	180	1806	180	Submission of Information Disclosure Stmt	180.00
Large En	tity	Small Er	ntity		_		8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description			l				. , . ,	
	18		9	Claims in excess	of 20		1809	770	1809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1202 1201	18 86	2202 2201	43	Independent cla		ıf 3	1810	770	2810	385	For each additional invention to be	
1203	290	2203	145	Multiple Depend							examined (37 CFR § 1.129(b))	
1204	86	2204	43	**Reissue indepe		•	1801	770	2801	385	Request for Continued Examination (RCE)	
Į.				patent			1802	900	1802	900	Request for expedited examination of a design application	
1205	18	2205	9	**Reissue claims original pater		0 and over	Other fe	e (specify)				
SUBTOTAL (2) (\$)												
	**or num	ber previo	ously pa	aid, if greater, For	Reissues, see	below	*Reduced	by Basic Film	g Fee Pa	id	SUBTOTAL (3)	(\$) 180.00

1	SUBMITTED B	Complete (if applicable)				
	Name (Print/Type)	Gregory D. Caldwell	Registration No. (Attorney/Agent)	39,926	Telephone	(503) 439-8778
	Signature				Date	08/30/04

Based on PTO/SB/17 (10-03) as modified by Blakely, Solokoff, Taylor & Zafman (wir) 02/10/2004. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



AMENDMENT AND RESPONSE

COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Applicants appreciate the Examiner's attention to this application. In response to the Office Action dated May 28, 2004, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this response.

Amendments to the Drawings are described on page 13 of this response, and include attached replacement sheets.

Remarks/Arguments begin on page 14 of this response.

Attached to this response are copies of five previously filed information disclosure statements, as indicated below.